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U.S. Department of  
Transportation  
Office of the Secretary  
of Transportation

General Counsel

1200 New Jersey Avenue, S.E.  
Washington, D.C. 20590

December 27, 2011

Ms. Cynthia Brown  
Chief of the Section of Administration  
Surface Transportation Board  
395 E Street, S.W.  
Washington, D.C. 20423

ENTERED  
Office of Proceedings

DEC 27 2011

Part of  
Public Record

Re: Docket No. FD 35557  
Reasonableness of BNSF Railway Company  
Coal Dust Mitigation Tariff Provisions

Dear Ms. Brown:

The United States Department of Transportation hereby gives notice of its intention to participate in the above-referenced proceeding. Please designate the undersigned representative of the Department of Transportation as counsel of record, to receive all pleadings, correspondence, decisions, and other documents submitted for the record.

Thank you for your assistance. Please feel free to contact me with any questions.

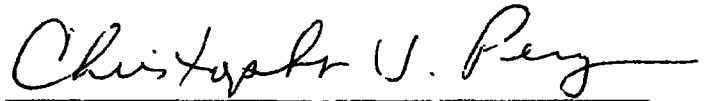
Respectfully,

Christopher S. Perry  
Trial Attorney

U.S. Department of Transportation  
Office of the General Counsel  
1200 New Jersey Avenue, S.E.  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this 27th day of December, 2011, I caused the foregoing document to be served by first class mail, postage prepaid, upon all Parties of Record in this proceeding.

A handwritten signature in cursive script, reading "Christopher S. Perry", written over a horizontal line.

Christopher S. Perry